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COMMISSION ON HUMAN RIGHTS

Fifty-second session

SUMMARY RECORD OF THE 18th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 29 March 1996, at 10 a.m.

Chairman:	Mr. VERGNE SABOIA	(Brazil)
later:	Mr. VASSYLENKO (Vice-Chairman)	(Ukraine)
later:	Mr. VERGNE SABOIA (Chairman)	(Brazil)

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The meeting was called to order at 10.15 a.m.

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

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EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO UNITED NATIONS HUMAN RIGHTS INSTRUMENTS (item 14 of the provisional agenda) (continued) (E/CN.4/1996/77, 78 and 87; A/CONF.157/PC/62/Add.11/Rev.1; A/50/505)

1. Mr. PARREIRA (Angola) said that the Declaration on the Right to Development, the key text in all deliberations concerning that right, was largely missing from the report of the Working Group on the Right to Development (E/CN.4/1996/24). His delegation thus fully endorsed the Declaration of opposition to the report prepared by the two Cuban experts and contained in annex I to the report.

2. While he was not too concerned about the report's verbosity, he could not accept its deceptiveness and reinterpretation of the right. Some of the language - that of the last sentence of paragraph 300 for instance - seemed to refer to some virtual construct rather than to the real world. The real world was neither homogenous nor equitable: 75 per cent of its inhabitants were very poor, sick and hungry, lived in shanty towns, suffered social discrimination and racial prejudices and would never ever dream of occupying foreign lands or threatening the territorial integrity or sovereignty of any nation.

3. The right to development was their right and must be based on the main ideas of the Declaration, especially article 1, paragraph 2, and article 3,

paragraph 3, which embodied the concept of sovereignty and the need for cooperation to promote a new international economic order. Without such concepts, the right would lose its force and its dynamism.

4. Mr. HAIDER (Pakistan) said that his delegation was concerned lest those seeking to promote the realization of the right to development were shirking the "real" duty of promoting "real" human rights, namely, civil and political rights; although that issue should have been settled by the Vienna Declaration of June 1993. All human rights were interrelated; progress in one inevitably led to progress in others, while denial of one had the effect of leading to retrogression in others.

5. He welcomed the report of the Working Group on the Right to Development (E/CN.4/1996/24) as providing a useful context for deliberations on the subject. The report did not, as a consensus document, reflect the different positions adopted by the various countries and regions as sharply as his delegation would have wished, feeling as it did that the alleviation of the problems of the underdeveloped countries was far more important than reaching a consensus. In fact, the rigid stand taken by the developed countries had blocked positive recommendations which could have paved the way for the rapid development of the developing countries.

6. The Minister for Foreign Affairs of his country had suggested the appointment of a special rapporteur to examine and identify national and international factors that were necessary and conducive to the realization of the right to development. The international factors should include greater access to markets and to financial resources, better terms of trade for the developing countries, overseas development assistance and the transfer of technology.

7. When examining the internal policies of the developing countries, the special rapporteur should focus particularly on factors such as stability of democratic institutions, investment, growth and income distribution. When studying the policies of the major industrialized countries, he would have to consider how such policies affected the global economic environment, in which context large fiscal deficits, monetary and exchange-rate policies, trade protectionism and technology transfer were the most relevant factors.

8. For the right to development to be fully realized, both the developing and the developed countries must recognize and respect the interrelationship between the rights enshrined in the two International Covenants on Human Rights. The whole set of human rights, interrelated and interdependent, should be promoted as an indivisible package.

9. International stability was a prerequisite for the creation of a favourable international environment conducive to the realization of the right to development. Since concern for survival and territorial integrity caused countries to increase their military expenditure, the underlying political causes of such tensions and conflicts should also be addressed in the context of promoting the right to development.

10. Ms. TOLLE (Observer for Kenya) said that the indivisible nature of human rights was embodied in numerous human rights instruments, including the

Vienna Declaration and Programme of Action. However, it was becoming increasingly clear that, as more attention was focused on civil and political rights in an unbalanced approach to human rights issues, the social and economic situation of the developing countries continued to deteriorate. Developing countries, especially those in Africa, lagged far behind in terms of economic development.

11. They were hampered by their enormous debt burden, by inadequate and shrinking development finance and by the diversion of capital flows which they needed for their own development. In that regard, her delegation fully endorsed the Secretary-General's report (E/CN.4/1996/22) which contained guidelines for the formulation of an equitable and durable solution to the foreign-debt problem. In implementing that report's recommendations, particular attention should be paid to a global approach relating to all categories of debt, ensuring that such an approach was impartial and was implemented in a holistic, non-selective and objective manner, and to establishing conditions that guaranteed a balanced and equitable exchange of resources between the North and the South, the massive outflows of resources from the South being reversed.

12. Her Government recognized that it had primary responsibility for ensuring the economic and social well-being of its people and, to that end, had already adopted a host of stringent economic measures. However, there was a need for international cooperation and solidarity in dealing with the complex difficulties facing most developing countries in the economic, social and cultural fields.

13. Such difficulties were compounded by the dumping of toxic and hazardous wastes and materials in developing countries which had neither the resources nor the capability to deal with the health and other consequences (E/CN.4/1996/17). She suggested that that issue be included in the list of obstacles to the realization and enjoyment of economic, social and cultural rights. In that regard, she fully endorsed the establishment of a focal unit within the Centre for Human Rights to follow up matters relating to the adverse effects of the dumping of toxic and hazardous products and wastes on the enjoyment of human rights.

14. While she commended the report of the Working Group on the Right to Development (E/CN.4/1996/24), she noted that some of its findings required further study, a task which could be entrusted to an intergovernmental group of experts.

15. The Commission should formulate measures through which the recommendations contained in all three of the documents she had mentioned would be implemented. Increased resources should also be made available to the Centre for Human Rights to enable it to carry out its mandate effectively.

16. Mr. GWAM (Observer for Nigeria) said that the international community had recognized the interdependence between civil and political rights and economic, social and cultural rights, including the right to development. To translate that recognition into action, the obstacles to the enjoyment of the

right to development must be removed. His delegation therefore welcomed the recommendations in that regard made by the Working Group on the Right to Development (E/CN.4/1996/24, sect. III).

17. It was for the Commission to respond by adopting a decision which would implement those recommendations. The decision should also endorse the proposal by the High Commissioner for Human Rights to establish a new branch of the Centre for Human Rights, the purpose of which would be to ensure respect for the right to development. Furthermore, a request should be made to the Bretton Woods institutions and the World Trade Organization that, when elaborating their policies, they take account of the principles set forth in the Declaration on the Right to Development.

18. His delegation endorsed the recommendation of the Working Group on the Right to Development that a body of experts be established to elaborate a strategy for the implementation and promotion of the right to development. Membership of that body should be limited to 10 and it should work in tandem with the international financial institutions, the Office of the High Commissioner for Human Rights, the treaty bodies and the NGOs.

19. Illicit dumping of toxic wastes was a violation of the right to life and the right to health. Illicit dumping of toxic products in countries lacking the capacity to process those products was a crime against those States, deliberately committed for the purpose of protecting the life and health of the citizens of the country in which the waste originated. His Government had enacted legislation against transboundary traffic in toxic and hazardous wastes. Nevertheless, it was still faced with the problem of illicit dumping of wastes, which were often misleadingly labelled.

20. He urged the international community to support the work of the Special Rapporteur on the subject of illicit dumping of toxic and hazardous wastes and called on all States to adopt or implement conventions related to the subject and to cooperate in preventing such activities.

21. Mr. NARANG (International Institute for Peace) said that, without effective implementation machinery, United Nations resolutions, declarations and conventions would remain mere paper commitments. The effective functioning of the treaty bodies was thus crucial, at a time when many millions of people continued to be denied their most basic human rights by dictatorial regimes which remained indifferent to their obligations. It was most alarming, therefore, that the effective functioning of those bodies was being damaged by the reduction in operational funds.

22. All human rights bodies should pay attention to human rights education and make the fulfilment of the plan of action for the United Nations Decade for Human Rights Education a priority concern. He thus welcomed the recommendation by the chairpersons of the treaty bodies that each treaty body, in its examination of State party reports, should assiduously investigate compliance by the States parties with their extensive obligations regarding education and the provision of public information on human rights, in general, and on the human rights instruments and proceedings of the treaty bodies, in particular.

23. To overcome the problem of resource constraints and to promote human rights education, the Commission should make effective use of the NGOs which were ready to provide reliable information to special rapporteurs and other treaty bodies and also to disseminate information on the existence and tasks of such bodies.

24. Ms. SPALDING (International Association of Educators for World Peace) said she noted that the door was open for innovative joint ventures that brought together representatives of developing nations and of the business community in a wide variety of practical ways. Such projects could encourage awareness in the business world that the promotion of human rights was not just an optional philanthropic act but also made good business sense. The numerous events of the Decade for Human Rights Education likewise presented tremendous opportunities for joint ventures and creative approaches to partnership in support of human rights.

25. Mrs. SHAWL (All Pakistan Women's Association) said that neither individual nor collective development could be achieved unless the right to self-determination were exercised. The Indian occupation forces in Jammu and Kashmir had caused worse damage than anything that might have been inflicted by terrorism. The environment, industry, agriculture, employment, education and health had all been completely ruined. Kashmir's traditional carpet industry had been destroyed. Bunkers and interrogation centres had replaced flowers, rivulets and waterfalls in the landscape of Kashmir. Men, women and children were the targets of the occupation forces. In such an environment, the right to life, not to mention the right to development, could hardly be protected.

26. Ms. HOSKINS (American Association of Retired Persons) said that she welcomed the adoption by the Committee on Economic, Social and Cultural Rights, at its meeting in November 1995, of General Comment No. 6 on the economic, social and cultural rights of older persons. The older population in developing countries was growing even more rapidly than that in the industrialized countries, providing even greater impetus for protecting the rights of that group.

27. The category of older persons - individuals aged 60 and above - was far from homogenous and represented wide variations in age, health, socio-economic status and other factors. The Committee had rightly stressed the need to prevent employment discrimination based on age and to ensure that the needs of the older worker were met both before and after the age of retirement.

28. According to the Committee, despite a lack of any explicit reference to the rights of older persons, those citizens were entitled to enjoy the full range of rights recognized in the International Covenant on Economic, Social and Cultural Rights. States parties should, therefore, pay particular attention to promoting such rights, including regular monitoring to determine the nature and scope of the problem; adopting appropriate policies and programmes; enacting legislation and eliminating discriminatory legislation; and ensuring the relevant financial support and international cooperation. Through such efforts, States parties would be able to make a valuable contribution to the International Year of Older Persons, to be celebrated in 1999.

29. She urged the Committee to proceed immediately with its work on the optional protocol to the International Covenant.

ORGANIZATION OF THE WORK OF THE SESSION (item 3 of the provisional agenda) (continued) (E/CN.4/1996/11, 15, 17, 69, 83, 84, 112, 118 and Add.1, 136, 138 and 141; E/CN.4/1996/NGO/22; A/49/929; A/50/482 and 878)

30. The CHAIRMAN said that, if he heard no objection, he would take it that the Commission wished to adopt the Bureau's recommendation that the topic entitled "Situation of human rights in Guatemala" should be considered under agenda item 17, entitled "Advisory services in the field of human rights".

31. It was so decided.

MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS (item 11 of the provisional agenda) (E/CN.4/1996/70; E/CN.4/1996/NGO/50)

RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES (item 16 of the provisional agenda) (E/CN.4/1996/88, 129 and 130; A/50/514)

IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF (item 18 of the provisional agenda) (E/CN.4/1996/95 and Add.1 and 2 and Add.2/Corr.1; E/CN.4/1996/NGO/19 and 59)

32. Mr. AZEEZ (Sri Lanka) said that the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families highlighted the contribution of migrant workers in many countries, would help them to gain recognition of their rights and would facilitate the establishment of minimum standards of protection. Some 500,000 Sri Lankan migrant workers were employed in various parts of the world, many of them single women who were highly vulnerable to the lack of proper service contracts, non-payment of wages, unavailability of insurance and social security and sexual harassment. His Government had resolved to accede to the International Convention and hoped it would soon come into force.

33. Trafficking in persons had taken on new dimensions, going beyond the terms of reference of the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Such trafficking had international criminal dimensions and required new forms of cooperation between States and international organizations. The international community must adopt practical approaches to assisting women who fell foul of such trafficking in the guise of migration for overseas employment.

34. Mr. Vassylenko (Ukraine), Vice-Chairman, took the Chair.

35. Mr. DUAN Qiming (China) said that China was a multireligious society in which millions of people practised Buddhism, Taoism, Islam, Catholicism, Protestantism and other religions. Respect for freedom of religion or belief was a basic government policy; China applied the principle of separation between State political power and education and religion. The Government had

allocated large resources for repairing temples and churches in the past decade. There were over 2,000 religious associations in the country, over 70,000 temples, churches and other sites for religious activities, 48 religious schools and 200,000 religious staff members. Scriptures, books and periodicals had been published in every religion: the print run of the Bible alone had been over 10 million copies.

36. While a Government must protect the freedom of its citizens to practise a religion, it also had to safeguard the freedom of those who chose not so to practise. The Chinese Constitution, criminal law and other legislation had clear and specific provisions on protection of the freedom of religious belief and Chinese legislation and policy provided that all citizens and organizations, religious or not, were equal before the law and had the same rights and obligations.

37. His Government had invited the Special Rapporteur on the question of religious intolerance to visit the country in November 1994. That visit had helped the international community to gain a better understanding of religion in China and of the Government's efforts to protect freedom of religious belief.

38. Mr. TYSZKO (Observer for Poland) said that the presence of minorities helped to enrich society and fostered the language of tolerance. Cultural pluralism had often proved to be a blessing for society and a prerequisite for democracy, yet minority issues had increasingly become the direct or indirect source of internal and international conflicts. For all those reasons, the protection of minorities was a priority issue in the field of human rights, and his delegation welcomed a number of recent achievements, starting with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which gave the international community a set of fundamental principles to guide the policy of States on minorities, and including the establishment of an inter-sessional working group of the Sub-Commission.

39. The Commission's approach to the protection of minorities should comprise a campaign for the worldwide promotion of the Declaration and full support for the Sub-Commission's Working Group on Minorities. Cooperation between United Nations bodies dealing with minority issues should be enhanced and stress should be laid on protection of minority rights within the programme of advisory services and technical assistance in the field of human rights.

40. Poland had concluded bilateral treaties with all its neighbours and there were no political or legal barriers to fulfilment of the ethnic, cultural, linguistic and religious identities of national minorities in the country. Representatives of such minorities were seated in the democratically elected Parliament and in local self-government authorities.

41. Ms. GRANGE (Commission of the Churches on International Affairs of the World Council of Churches) said that the abuse and precarious conditions suffered by migrants constituted a vital humanitarian concern for Christian churches. Rising xenophobia vis-à-vis migrants was amply documented in the reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. Migrant women were often

victims of gender-specific violence. The Special Rapporteur on violence against women had noted that violence against female domestic workers was a problem of escalating proportion; and had submitted a framework for model legislation on domestic violence.

42. At a recent global, multi-sectoral consultation on migrant rights, participants had acknowledged that few resources were available for the immense needs faced by church groups and other organizations working to support migrants. Her organization had recently adopted a statement on uprooted people in which the churches were called upon to take active roles in protecting the human rights of such people.

43. The World Council of Churches recommended to the Commission that sufficient resources be allocated to accelerate publication of the human rights fact-sheet on the rights of migrant workers, that the framework for model legislation on domestic violence should be widely disseminated to Member States, that States should ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and that delegations participating in the conference on refugees, returnees, displaced persons and related migratory movements in the CIS and relevant neighbouring States should ensure that due attention was given to measures to protect migrants and other displaced persons.

44. Mr. LACK (International Association of Jewish Lawyers and Jurists) said that the report of the Special Rapporteur mandated to examine incidents and governmental actions incompatible with the provisions of the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief (E/CN.4/1996/95) failed to provide any clear or helpful conclusions on the degree to which States were adhering to the principles set forth in the Declaration. While not particularly revealing, the simple listing of the number of violations by States of particular provisions did serve to establish that such violations were widespread and increasing. To add to the generally dismal picture, 30 per cent of the States questioned had failed to reply.

45. In general, the report was a compendium of administrative lists referring to violations of the provisions of the Declaration and the order in which the world's faiths had been adversely affected by such acts. The less than innovative report was, perhaps, a result of the limited means available to the Special Rapporteur, to which he had made explicit reference.

46. The single most disconcerting finding in the report was the continuing existence of religious extremism, characterized by hatred and acts of violence of such proportions as to produce situations constituting a threat to international peace and security. The Special Rapporteur had performed a valuable service in calling on all States to unite their efforts to counter such religious extremism.

47. His warning had anticipated the series of suicide bombings in Israel by the so-called Islamic Resistance Movement or Hamas, which had taken the lives of 58 victims and injured many more. Those abominable attacks had almost succeeded in halting the peace process. Islamic Jihad, Hezbollah and Hamas

had together perverted the message of one of the great monotheistic religions and had committed the ultimate blasphemy of claiming religious inspiration for their vile acts.

48. While all religious doctrines were open to distortion, the luring of young fanatics into acting as human bombs to destroy the infidel and thus gain entry into Paradise was a negation of both religious values and human rights.

49. The presence of representatives of 13 Arab States at the recent security conference in the Middle East had been a reassuring sign. Less so, however, was the fact that, during the discussion, certain Arab States had condemned the countermeasures taken by Israeli authorities in response to the bombings, terming them "collective punishment", and had failed to mention the terrorist attacks themselves. Even more regrettable was the outrageous attempt by the representative of the Palestinian Liberation Organization to justify the resort to terrorist actions, giving rise to the corollary that the Palestinian side to the peace negotiations must either disavow their Geneva representative or lose credibility in calling for a resumption of the peace process.

50. The reported congratulations sent by Iran and Libya to Hamas terrorists after the bombing attacks were also to be deplored. Another disturbing factor was a press allegation that a United Nations official had made a declaration of support for the Hezbollah, a notorious armed Islamic extremist group.

51. The analysis by the Special Rapporteur of the situations in Pakistan and Iran (E/CN.4/1996/95/Add.1 and Add.2) left little doubt as to the gravity of the situation in those countries with regard to religious intolerance.

52. Unlike his predecessors, the Special Rapporteur took the view that the time was not yet right to draft an international convention on the elimination of all forms of intolerance and discrimination based on religion or belief until a culture of religious tolerance based on education had developed that would lead to the emergence of the appropriate international policy.

53. Mr. ROSSI (International Association for Religious Freedom), having drawn attention to the slow progress made by the Governments of Eastern European countries in returning church properties confiscated by the previous Communist regimes and the large number of churches and mosques destroyed in the former Yugoslavia in a war of religious intolerance associated with "ethnic cleansing", said that the Islamic world believed that, in Bosnia, Christians were waging a war on Muslims and their religion. In other countries, however, the situation was quite the reverse. For instance, there were over 2,500 mosques or places of Muslim worship in six countries of Western Europe. In particular, a very large mosque had been built in Rome. Pope John Paul II had described its inauguration as an eloquent sign of freedom of religious belief which was unfortunately lacking in certain Islamic countries.

54. In fact, Islam had become the second religion in France and Italy, with a large number of followers who had formerly been Christians. In Egypt, however, it was very difficult for Christians to obtain permission even to build a church, and in Saudi Arabia, although hundreds of thousands of Christian workers were present in the country, not a single church existed and the public manifestation of any religion other than Islam was forbidden.

55. But the worst situation in Islamic countries was not that of non-Muslims but that of Muslims who, for reasons of conscience, had decided to follow a religion other than Islam. Under Shariah law such persons should be sentenced to death. Fortunately, not all Islamic countries applied Shariah law in such circumstances, but Saudi Arabia, Iran, Sudan and Mauritania did so. To change one's religion was not, however, a crime but a universally recognized human right.

56. Moreover, if the Koran were adhered to, Muslims should be the first to declare full freedom of religion for all. Unfortunately, however, the Koran was often disregarded and innocent people were killed in the name of God on the basis of human traditions wrongly considered to be divine. In addition, terrorist acts had been committed in the name of God by Islamic movements, especially in Algeria and, more recently, in Israel.

57. In short, every effort must be made to prevent religion from being used as an instrument of political terrorism. In particular, the international community must help Muslims to give the world a true picture of Islam as a religion of progress, freedom and love.

58. Mr. WONG (International Association for the Defence of Religious Liberty) drew attention to the persecution of Christian minorities in various parts of the world. For example, in Egypt numerous permits were required to build, repair or renovate a church, whereas mosques could be built almost anywhere with only a local authority permit. In Iran, the Government's attack on evangelical Christians and converts from Islam to Christianity was systematic and ruthless. The offices of the Iranian Bible Society and many churches had been closed down.

59. Three Iranian evangelical Christian leaders had been murdered in 1994. The Government had blamed the killings on opposition groups, but the evidence pointed to government responsibility. The international community should therefore press vigorously for a thorough and completely independent investigation of those murders.

60. In Saudi Arabia, all forms of non-Islamic worship were banned and on numerous occasions Christians had been persecuted merely for having congregated together for worship. In Myanmar and in Karen refugee camps in Thailand, Karens had been shelled by troops of the Myanmar Government.

61. His organization urged the Commission to put pressure on the Governments of Egypt, Iran, Saudi Arabia and Myanmar to protect their minorities from persecution and to send special rapporteurs to investigate the situation of religious and ethnic minorities in those countries.

62. Mr. HASSON (International Association of Educators for World Peace) said that persecution of Christian churches had been heating up, with Evangelicals the current victims of choice and Roman Catholics not far behind. The situation was particularly difficult in the United States of America, where the most virulent future threat to religious liberty was currently incubating.

63. Until recently, the protection afforded by the Bill of Rights was thought to be one of freedom of religion, but it was currently viewed as freedom from

religion, at least in public life. A striking example was provided by recent events in Jersey City, where a federal judge had ordered the local government to eliminate religious elements from its holiday displays unless they were "desacralized". Such an ideology of freedom from religion was an intolerable denial of fundamental human dignity and was spreading to other Member States and even, perhaps, to the United Nations itself.

64. Mr. BANDIER (United Towns Agency for North-South Cooperation) drew attention to the growing intolerance shown by the Chinese Government towards religious believers, especially in Tibet, where the real Panchen Lama had been kidnapped with his family and entourage and the urgent appeals by the Special Rapporteur on religious intolerance had remained unanswered.

65. To justify their actions, the atheist Chinese authorities had accused the Dalai Lama of having acted illegally in endorsing the six-year-old Gendun Chokyi Nyima as the reincarnation of the Panchen Lama, the second spiritual hierarch of Tibet. A violent campaign of defamation had been waged against the Dalai Lama, and protesting monks in Tibet had been arrested and replaced by persons who had directed religious affairs during the Cultural Revolution. Such violations of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief could only be deplored. He had noted with great interest the statement made by the Chinese delegation.

66. Mr. KIRKYACHARIAN (Movement against Racism and for Friendship among Peoples) said that there was an urgent need for States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. The industrialized countries, on which the protection of migrant workers and their families mainly depended, were surprisingly slow in coming forward, despite the fact that the Convention had been adopted by consensus in the General Assembly.

67. Ratification of the Convention would further the integration process in developed countries, enhance the moral authority of those countries at the international level and reduce the North-South divergence, while enabling developing countries to provide better protection for their nationals working abroad and strengthen the cohesion of their populations.

68. The case of Sarah Banabagan, just one of many young female migrants working without adequate legal protection in Asia and Europe, was illuminating in that regard. The precarious conditions of employment of many migrant men were also shameful and unhealthy and could not but strengthen racism in all its forms. His organization therefore hoped that the Secretary-General's appeal to States to ratify the Convention would be heeded.

69. Mr. NAIR (Asian Buddhist Conference for Peace) said that the practice of using religion and cultural identity to call into question the universality of human rights was a cause for concern. Certain groups were unjustly interpreting any human rights concern as Anglo-American, Judaeo-Christian interventionism.

70. Well before the modern human rights movement began, leaders throughout history had spoken out against torture and capital punishment, stressed the

importance of holding fair trials, and advocated innovative approaches to dispute settlement, such as civil disobedience. Long before most European countries had done so, capital punishment had been abolished in Nepal, as being inconsistent with Hindu principles.

71. In Asia, the quest for human rights was a legacy of the region's anti-colonial struggles. It was unfortunate that material pursuits had taken precedence over historically important events: if liberty were perceived as a means of attaining material satisfaction, then the State could easily tempt its citizens to part with their rights by holding out the bait of still greater satisfaction.

72. The Church had been in the forefront of the struggle for human dignity. It was unfortunate that missionaries who had given the best years of their lives to the Asian people had suddenly become targets of local Governments, fearful of their popular influence. Examples of such hostility was the periodic imprisonment of Christian lay Evangelists in Nepal and the Indian Government's policy of refusing to renew the visas of missionaries.

73. Mr. Vergne Saboia (Brazil) resumed the Chair.

74. Ms. SILWAL (World Peace Council) said that, while recognized as a universal ideal, pluralism was rarely put into practice in authoritarian and theocratic States. Citing the imperatives of nation-building, such Governments conveniently swept aside the rights of minority groups. The increasing centralization of State power and the overtly expressed goal of the homogenization of populations was giving rise to considerable apprehension among ethnic and cultural minorities.

75. Certainly, liberal and democratic Governments were sincere in their commitment to protect the life and property of minorities. At the same time, failure on the part of minority groups to maintain a legitimate and effective political, economic and social presence could lead to an erosion of their cultural identity. Thus, protection of minorities meant not only adoption of the appropriate measures but also creation of an environment conducive to the development of their identity.

76. While various United Nations organs were carrying out activities to protect the basic human rights of minorities, there was no established procedure for implementing such rights. With the exception of the Sub-Commission, there was no regular forum for discussing issues relating to minority rights.

77. Recent events had provided ample evidence that the cultural survival and even the physical existence of minority populations was in danger. It was, therefore, more important than ever for the international community to take appropriate action. The Commission and the Sub-Commission must act independently of the influence of Governments. In the case of the Commission, the differing views of States had clearly hampered its work.

78. She urged the Commission to establish a mechanism for monitoring the rights of persons belonging to minorities with a view to detecting dangerous

developments at an early stage, and to provide the necessary resources for the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

79. Mr. GRAVES (African Health and Human Rights Promoters Commission) said that the use of religion for political purposes took various forms. Certain groups used religion as an excuse for violating the human rights of others not sharing their views. That was the case, for example, with regard to the treatment of the Muslims of Bosnia and Herzegovina by the Serb leaders and population. Other groups argued that populations within a State which failed to conform to the State religion were not entitled to civil, political and economic rights. Some used religion to support imperialistic policies or to justify interference in the internal affairs of other countries.

80. The political use of religion was often a threat to the existence of multicultural and multi-religious societies, as illustrated by the situations in Bosnia and Herzegovina, Kosovo and Kashmir. The current regime in Iraq was carrying out outright persecution of the Shiah population, which represented the majority in that country. Following the Iraqi popular revolt in March 1991, more than 100 Shiah religious leaders had been arrested or had disappeared and their fate was still unknown.

81. There were several possible ways of putting an end to the political use of religion. First, an effort must be made to find, on the basis of religious texts and practices, the real basis of each religion. Most of the world's religions taught respect for the human person. Secondly, religious leaders must make extraordinary efforts to promote respect for the human person. Thirdly, religions must share their beliefs with each other through dialogue. Lastly, religious leaders must denounce any violations of human rights committed by their followers.

82. The ethical principles of the various world religions corresponded largely with the ethical criteria elaborated over the years by the United Nations system. Religious leaders and the United Nations should cooperate in upholding such principles.

The meeting rose at 12.35 p.m.